Docket No.: PF-0169-2 CON

"Express Mail" mailing label number <u>EL 856 152 026 US</u>. I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, addressed to: Commissioner for Patents, Box Patent Application, Washington, D.C. 20231 on August 24, 2001

By: Many Rama

Printed: Nancy Ramos

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bandman et al.

Title:

LUNG GROWTH FACTOR VARIANT

Serial No.:

To Be Assigned

Filing Date:

Herewith

Examiner:

To Be Assigned

Group Art Unit:

To Be Assigned

Commissioner for Patents Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants wish to call to the attention of the Examiner the enclosed "List of References Cited by Applicants." The right is reserved to antedate any item in accordance with standard procedure.

Applicants respectfully submit under 37 C.F.R. 1.98(3)(d) that copies of the references are not included herein as copies were previously cited by or submitted to the Office in parent application Serial No. 08/760,745, filed December 5, 1996, or Serial No. 09/207,980, filed December 7, 1998, from which we are claiming priority under 35 U.S.C. 120.

Citation of the documents is not to be construed as an admission that the documents are necessarily prior art with respect to the instant invention. This submission is understood to complement the results of the Examiner's own independent search. Citation of the documents shall not be construed as a representation that a search has been made or that the cited items are inclusive of all the relevant and material citations that may be available publicly. Any NCBI report included herein may not have an accurate date for prior art purposes. Some of the documents may have markings thereon. No significance is meant to be attached to the markings.

Applicants respectfully request that the cited documents be considered by the Examiner

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and that an initialed copy of the List of References Cited by Applicants be returned to Applicants.

It is believed that this disclosure complies with 37 CFR §§ 1.56, 1.97 and 1.98 and the Manual of Patent Examining Procedures § 609. If for some reason the Examiner considers otherwise, please telephone the undersigned.

Applicants believe that no fee is due with this paper. However, if the Commissioner determines that a fee is necessary, the Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. **09-0108.** A duplicate copy of this communication is enclosed.

If there are any questions regarding the above, the Examiner is invited to call the undersigned at 650-855-0555.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: August 24,2001

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Sheet 1 of 2

U.S. Department of Commerce, Patent and Trademark Office						Atty Docket No.		Serial No.	
10					PF-0169-2 CON		To Be Assigned		
LIST OF REFERENCES CITED BY APPLICANTS						Applicant			
LIST OF REFERENCES CITED BY APPLICANTS (Use several sheets if necessary)						Bandman et al.			
90/9					Filing Date		Group		
01 i					HEREWITH		To Be Assigned		
U.S. Patent Documents									
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing D If Appro		
1	1.	5,235,042	8/10/93	Klagsbrun	530	399			
Foreign Patent Documents									
							Translation		
		Document	Date	Country	Class	Subclass	Yes	No	
	2.	06,343,470A	12/20/94	JР					
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)									
3	3.	Nakamura, H. et al., "Molecular cloning of complementary DNA for a novel human hepatoma-derived growth factor. Its homology with high mobility group-1 protein.", J.Biol.Chem. (1994) 269(40):25143-25149.							
. 4	4.	Baxevanis, A.D., et al., "The HMG-1 box protein family: classification and functional relationships.", Nucleic Acids Res. (1995) 23(9):1604-1613.							
5	5.	Morton, R.L., et al., "Chromosomal proteins HMG-14 and HMG-17 are synthesized throughout the S-phase in Burkitt's lymphoma.", Biochem.Biophys.Res.Commun. (1996) 222(2):368-373.							
6	6.	Harley, V.R., et al., "The HMG box of SRY is a calmodulin binding domain.", FEBS Lett. (1996) 391(1-2):24-28.							
7	7.	Onate, S.A. et al., "The DNA-bending protein HMG-1 enhances progesterone receptor binding to its target DNA sequences.", Mol.Cell Biol. (1994) 14(5):3376-3391.							
8	8.	Izumoto, Y. (Direct Submission), GenBank Sequence Database (Accession 945419), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland, 20894.							
g	9.	Auffray, C. et al, HSC10E061, "H. sapiens partial cDNA sequence; clone c-10e06" EMBL SEQUENCE DATABASE, 21 September 1995, Heidelberg, Germany							
1	.0.	Adams, M.D. et al, HS20113, "EST28619 Homo sapiens cDNA" EMBL SEQUENCE DATABASE, 8 September 1995, Heidelberg, Germany							
Examiner			Date Consid	dered					

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.

OTHER ART (Including thor, Title, Date, Pertinent Page, Etc.)

		there's party little, party li
	11.	Auffray, et al., "H. Sapiens partial cDNA sequence; clone c-10e06. EST-STS Accession No. Z43004.
	12.	Charnock-Jones et al., "Extension of incomplete cDNAs (ESTs) by biotin/streptavidin-mediated walking using the polymerase chain reaction," Journal of Biotechnology, Vol 35, Nos. 2-3, pp. 205-215.
	13.	Liew, J2942F Homo sapiens cDNA clone J2942 5' similar to HEPATOMA-DERIVED GROWTH FACTOR, EST-STS Accession No. N85236.
	14.	Sambrook et al., "Molecular Cloning: A Laboratory Manual, 2d. Ed. CSHL Press, Cold Spring Harbor, NY, pp.9.50-51.
	15.	Adams, et al., EST03319 Homo sapiens cDNA clone HFBCW96. EST- STS database Accession No. T05430.
	16.	George, et al., "Current methods in sequence comparison and analysis," In: Macromolecular Sequencing and Synthesis (DH Schlesinger, ed.) Alan R. Liss, Inc., NY, pp. 127-149.
	17.	Meinkoth et al., "Hybridization of nucleic acids immobilized on solid supports," <u>Anal. Biochem.</u> , 1984 May 1; 138(2):267-284
	18.	Sambrook et al., <u>Molecular Cloning: A Laboratory Manual Second Edition</u> , Vols. 1, 2 and 3. Cold Spring Harbor Laboratory Press: Cold Spring Harbor, New York, USA, November 1989, page 11.47.
	19.	Saiki et al., "Genetic Analysis of Amplified DNA with Immobilized Sequence-Specific Oligonucleotide Probes," <u>Proc. Natl. Acad. Sci. USA</u> , 1989 August; 86(16):6230-4.
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, Draw line through citation of not in conformance and not considered. Include copy of this form with your communication to applicant.